

FILED

JUL 11 2023

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
CAPE GIRARDEAU

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTONY M. GRAZIANO,

Defendant.

)
)
)
) No.

1:23CR98MTS-ACL

) 18 U.S.C. § 922(g)(1);
) 18 U.S.C. § 922(g)(3);
) 26 U.S.C. §§ 5845(a) and 5861(d);
) 21 U.S.C. § 841(a)(1);
) 18 U.S.C. § 924(c)(1)(A)
)

INDICTMENT

Count I

THE GRAND JURY CHARGES THAT:

On or about June 12, 2023, in Cape Girardeau County, within the Southeastern Division of the Eastern District of Missouri,

ANTONY M. GRAZIANO,

the defendant herein, did knowingly possess in and affecting interstate commerce one or more firearms and ammunition, knowing he had previously been convicted in any court, of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1).

Count II

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 12, 2023, in Cape Girardeau County, within the Southeastern Division of the Eastern District of Missouri,

ANTONY M. GRAZIANO,

the defendant herein, knowing that he was an unlawful user of a controlled substance as defined in 21 U.S.C. § 802, did knowingly possess one or more firearms and ammunition that had previously traveled in and affected interstate commerce, in violation of 18 U.S.C. § 922(g)(3).

Count III

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 12, 2023, in Cape Girardeau County, within the Southeastern Division of the Eastern District of Missouri,

ANTHONY M. GRAZIANO,

the defendant herein, did knowingly possess a firearm, as that term is defined in 26 U.S.C. § 5845(a), specifically a rifle with a barrel less than 16 inches in length, said firearm having not been registered to the defendant in the National Firearms Registration and Transfer Record, and said firearm having been made in violation of Chapter 53 of Title 26, in violation of 26 U.S.C. §§ 5845(a), 5861(c) and (d), and punishable under 26 U.S.C. § 5871.

Count IV

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 12, 2023, in Cape Girardeau County, within the Southeastern Division of the Eastern District of Missouri, the defendant,

ANTONY M. GRAZIANO,

did knowingly and intentionally possess with the intent to distribute five hundred (500) grams or more of a mixture or substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and punishable under Section 841(b)(1)(B)(ii)(II).

Count V

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 12, 2023, in Cape Girardeau County, within the Southeastern Division of the Eastern District of Missouri,

ANTONY M. GRAZIANO,

the defendant herein, did knowingly possess one or more firearms in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute 500 grams or more of cocaine, as alleged in Count IV of the Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A).

FORFEITURE ALLEGATION

THE GRAND JURY FURTHER FINDS BY PROBABLE CAUSE THAT:

1. Pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation of Title 18, United States Code, Section 922(g) as set forth above, the defendant shall forfeit to the United States of America any firearm or ammunition involved in or used in said violation.
2. Pursuant to Title 21, United States Code, Section 853(a), upon conviction of

an offense in violation of Title 21, United States Code, Section 841(a)(1), as set forth in this Indictment, the defendant shall forfeit to the United States of America any property, constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such violation(s) and any property used, or intended to be used, in any manner or part to commit or to facilitate the commission of such violation(s).

3. The specific property subject to forfeiture includes, but is not limited to the following:

- A. Forty-eight thousand eight hundred twenty dollars and no cents (\$48,820.00) in United States currency.

A TRUE BILL.

FOREPERSON

SAYLER A. FLEMING
UNITED STATES ATTORNEY

JOHN N. KOESTER, JR., #52177MO
ASSISTANT UNITED STATES ATTORNEY